

KEVIN V. RYAN (CASBN 118321)  
United States Attorney

EUMI L. CHOI (WVSBN 0722)  
Chief, Criminal Division

ROBERT DAVID REES (CASBN 229441)  
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055  
San Francisco, CA 94102  
Telephone: (415) 436-7210  
Facsimile: (415) 436-7234

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA, )  
Plaintiff, )  
v. )  
ARNULFO LEON CRUZ and )  
JOSE LOPEZ RAMIREZ, )  
Defendants. )  
)  
)  
)  
)  
)  
)  
No. CR 05 0561 PJH  
STIPULATION AND [PROPOSED]  
ORDER FOR CONTINUANCE UNTIL  
JANUARY 18, 2005, AND EXCLUDING  
TIME FROM JANUARY 4, 2006 TO  
JANUARY 18, 2006 FROM SPEEDY  
TRIAL ACT CALCULATION (18 U.S.C. §  
3161(h)(8)(A))

The parties appeared before the Court on January 4, 2006. With the agreement of the parties, and with the consent of the defendants, the Court enters this order continuing these proceedings until January 18, 2006 at 1:30P.M. for a status hearing/trial setting before the Honorable Phyllis J. Hamilton, and documenting the exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161(h)(8)(A), from January 4, 2006 to January 18, 2006. The parties agreed, and the Court found and held, as follows:

1. The defendants agreed to an exclusion of time under the Speedy Trial Act. Failure to grant the requested continuance would unreasonably deny defense counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

2. Given these circumstances, the Court found that the ends of justice served by excluding the period from January 4, 2006 to January 18, 2006, outweigh the best interest of the

public and the defendants in a speedy trial. § 3161(h)(8)(A).

3. Accordingly, and with the consent of the defendants, the Court ordered that the period from January 4, 2006 to January 18, 2006 be excluded from Speedy Trial Act calculations under 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

## IT IS SO STIPULATED.

DATED: January 9, 2006

ROBERT DAVID REES  
Assistant United States Attorney

DATED: January 18, 2006

/s  
RANDY MONTESANO, ESQ.  
Attorney for Arnulfo Leon Cruz

DATED: January 18, 2006

/s

IT IS SO ORDERED.

DATED: 1/19/06

HON. PHYLLIS J. HAMILTON  
United States District Judge